

MONTANA LEGISLATIVE HISTORY

Chapter 208 1965

Bill H 470 S _____ Original bill & history C

H. Committee on Business and Industry

Hearing Date(s) Feb 05 ☒ C

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Date Out Feb 05 ☒ C

S. Committee on Judiciary

Hearing Date(s) Feb 25 ☒ C

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Feb 25 ☒ C

Did this bill originate in an interim committee? Yes No

Committee _____

Report _____

February, 5, 1965

Minutes of the
BUSINESS AND INDUSTRY COMMITTEE

Meeting was called to order by Rep. Judge, chairman, Secretary called the roll.

HB470 - Proponents - Rep. Robert Raundal, Petroleum County.
Opponents - None

HB367 - Proponents - Rep. Francis Bardanouve, Blaine County.
Stated amendment to Section 1.
Opponents - Wesley Wertz, attorney, Helena, representing
Montana Bankers Assn.
Al Libra, Montana Employees Assn., Helena Employees
Assn.
Socs Vratiss, Montana Retail Assn.
Ava Santovan, executive secretary of the Retail
Hardware and Implement Assn.
Ross Allen, Allen Electric, Helena
W. A. Brown, Jr., Jorud Photo Shop, Helena.
Roy Hudson, Helena
Proponent - Larry Clark, Montana Credit Union.

HB481 - Proponents - Larry Clark, Montana Credit Union.
Opponents - Wesley Wertz, attorney at law, Helena

Rep. Bollinger made a motion that HB339 do pass. Deschamps seconded and the motion carried.

Rep. Deschamps made a motion that HJR21 do pass. Casey seconded and the motion carried.

Rep. Deschamps made a motion that the committee adopt the sub-committee report on HB319 and HB126. Motion was seconded and carried.

Rep. Loman made a motion to give HB319 a do not pass. Tooke seconded and the motion carried.

Rep. Loman made a motion to give HB126 a do not pass. Tooke seconded and the motion carried.

Discussion was held as to whether killing these bills would kill the appropriations completely for the advertising agency. If so, then the committee decided that they would amend HB126 to read \$126,000.00.

Meeting was adjourned.

SENATE JUDICIARY COMMITTEE MEETING - February 25, 1965

Senator Mahoney, Chairman

Senator Dussault, Vice Chairman

The meeting was called to order by the Chairman, Senator Mahoney. All of the committee members were present.

John Hall, Representative from Cascade County, appeared before the committee in support and as the sponsor of House Bill No. 468. He told the committee that the purpose of his bill was to amend a section of the present law and to clarify the present law in relation to grants of general relief assistance. Also appearing in support of this bill was Francis Mitchell from Great Falls and acting as Assistant Chief Clerk of the House of Representatives; and Mrs. Patrick Gilfeather from Great Falls. Appearing before the committee in opposition to House Bill No. 468 were the following: Ed Schubert, County Commissioner from Cascade County; John Stevens, First Vice President of the County Commissioners Association; Frank Kerska, Glacier County Commissioner, and Vic Overcash from Glacier County.

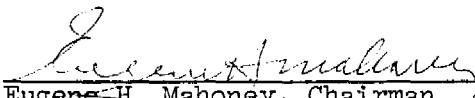
Robert Raundal, Representative from Petroleum County, appeared before the committee in support and as the sponsor of House Bill No. 470. He said the purpose of his bill was to allow certain trustees to serve for one, two or three year terms.

John Sheehy, Representative from Yellowstone County, and James Felt, Representative from Yellowstone County, appeared before the committee in support and as co-authors of House Bill No. 230. Mr. Sheehy told the committee that the purpose of this bill relates to the discontinuance of workmen's compensation payments by an insurer, requires approval by the Industrial Accident Board prior to such discontinuance, requires the insurer to file a petition for discontinuance with the Boards and to serve a copy on the claimant, requires an investigation and issuance of an order by the Board regarding payments, and provides that no appeal may be taken from the Board's order, reserves the powers in the Board, without notice in relation to continuance or discontinuance of payments. Also appearing before the committee in support of House Bill No. 230 were Joe Crosswhite, President of the AFL-CIO; Kenneth Clark, representing the Railroad Brotherhoods, and George Kaliphatic, representing the State Miners Association, and James Umber, Executive Secretary of the AFL-CIO. Appearing before the committee in opposition to House Bill No. 230 were William Rossiter, representing the American Insurance Association; Walt Nilan, representing the Farmers Insurance Group, and John Risken, representing the American Insurance Association, and Chadwick Smith, representing the American Mutual Insurance Alliance.

After consideration of House Bill No. 230, the following amendments were proposed: Amend the title on page 1, line 13 of the original bill, after the word and punctuation "PAYMENTS," by inserting the following words and punctuation: "PROVIDING A PENALTY IF PAYMENTS ARE KNOWINGLY DISCONTINUED WITHOUT COMPLIANCE,"; further amend on page 2, Section 1, Sub-section 4, line 15 of the original bill, being page 2, Section 1, Sub-section 4, line 26 of the printed bill, after the word "shall" by inserting the word "knowingly". Senator Turnage made a motion and was seconded by Senator Huntley that the amendments be adopted. The motion carried. Senator Turnage then made a motion, seconded by Senator Huntley, that the committee recommend that House Bill No. 230, as amended, be concurred in. The motion was carried.

After consideration of House Bill No. 470 by the committee, Senator Huntley made a motion and was seconded by Senator McGowan that the committee recommend that House Bill No. 470 be concurred in. The motion was carried.

Senator Dussault made a motion and was seconded by Senator Cumming that the meeting be adjourned. The motion was carried.


Eugene H. Mahoney, Chairman
Senate Judiciary Committee

CHAPTER 207

An Act Amending Section 69-512, R. C. M. 1947, to Require Clerk and Recorders to Send Copies of Death Certificates to Certain County Clerk and Recorders in Certain Cases.

Be it enacted by the Legislative Assembly of the State of Montana:

Amending clause.

Section 1. Section 69-512, R. C. M. 1947, is amended to read as follows:

Certificate of death or stillbirth—filing.

"69-512. (1) A certificate of every death or stillbirth shall be filed with the local registrar of the district in which the death or stillbirth occurred within three (3) days after the occurrence is known; or if the place of death or stillbirth is not known then with the local registrar of the district in which the body is found within twenty-four (24) hours thereafter. In every instance a certificate shall be filed prior to interment or other disposition of the body.

Filing death certificate in county of residence of deceased.

(2) *If a state resident dies in a county in this state where he is a non-resident, the clerk and recorder shall send a certified permanent copy of the death certificate to the clerk and recorder of the county where the deceased was a resident, to be filed with other death certificates."*

Approved March 6, 1965.

CHAPTER 208

An Act Allowing Certain Trustees to Serve For One (1), Two (2) or Three (3) Year Terms; and Amending Section 14-509, R. C. M. 1947.

Be it enacted by the Legislative Assembly of the State of Montana:

Amending clause.

Section 1. Section 14-509, R. C. M. 1947, is amended to read as follows:

Management of business and affairs of cooperative—board—by-laws to provide.

"14-509. (a) The business and affairs of a cooperative shall be managed by a board of not less than five (5) trustees, each of whom shall be a member of the cooperative or of another cooperative which shall be a member thereof. The by-laws shall prescribe the number of trustees, their qualifications, other than those provided for in this act, the manner of holding meetings of the

board of trustees and of the election of successors to trustees who shall resign, die or otherwise be incapable of acting. The by-laws may also provide for the removal of trustees from office and for the election of their successors. Without approval of the membership, trustees shall not receive any salaries for their services as trustees and, except in emergencies, shall not be employed by the cooperative in any capacity involving compensation. The by-laws may, however, provide that a fixed fee and expenses of attendance, if any, may be allowed for attendance at each meeting of the board of trustees.

(b) The trustees of a cooperative named in any articles of incorporation, consolidation, merger or conversion, as the case may be, shall hold office until the next following annual meeting of the members or until their successors shall have been elected and qualified. At each annual meeting or, in case of failure to hold the annual meeting as specified in the by-laws, at a special meeting called for that purpose, the members shall elect trustees, who may serve for one (1), two (2) or three (3) year terms. Each trustee shall hold office for the term for which he is elected or until his successor shall have been elected and qualified.

Trustees—term of office—election.

(c) A majority of the board of trustees shall constitute a quorum.

Quorum.

(d) If a husband and wife hold joint membership in a cooperative, either one, but not both, may be elected a trustee.

Husband and wife holding joint membership as trustee.

(e) The board of trustees may exercise all of the powers of a cooperative except such as are conferred upon the members by this act, or its articles of incorporation or by-laws."

Powers of board.

Approved March 6, 1965.

CHAPTER 209

An Act Relating to the Time Schedule For Payments to Contracting Architects; and Amending Section 66-115, R. C. M. 1947.

Be it enacted by the Legislative Assembly of the State of Montana: